

1 I, Amir M. Nassihi declare as follows:

2 1. I am an attorney duly licensed to practice law in the State of California,
3 and a partner at the law firm of Shook, Hardy & Bacon, L.L.P., counsel for
4 Defendants International Medical Devices, Inc., Menova International, Inc., Gesiva
5 Medical, LLC, James J. Elist M.D., a Medical Corporation, and Dr. James Elist
6 (collectively, "Defendants"). Unless stated otherwise, the statements in this
7 declaration are made on the basis of my own personal knowledge and I could and
8 would competently testify thereto if called upon to do so.

9 2. Attached hereto as **Exhibit 1** is a true and correct copy of Defendant
10 International Medical Devices, Inc.'s October 10, 2022 Responses to Plaintiff's
11 Requests for Production. Defendant responded to each Request, and to each of
12 Plaintiff's concurrently served Interrogatories and Requests for Admission with the
13 same objection; namely, the requests were served prior to the parties' Rule 26(f)
14 conference and were therefore untimely.

15 3. Defendants Menova International, Inc., Gesiva Medical, LLC, James J.
16 Elist, M.D., a Medical Corporation, and Dr. James Elist, all responded consistently
17 with International Medical Devices, Inc.'s responses as described above, to each of
18 Plaintiff's Requests for Production, Interrogatories, and Requests for Admission
19 served upon them.

20 I declare under penalty of perjury that the foregoing is true and correct.

21 Executed on this 19th day of September, 2023, in San Francisco, California.

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23 /s/ Amir M. Nassihi
24 Amir M. Nassihi
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